
2001-2002 MARIN COUNTY GRAND JURY

TITLE OF REPORT: Marin Civic Center: A Security Challenge

Date of Report: May 24, 2002

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

MARIN CIVIC CENTER: A SECURITY CHALLENGE

SUMMARY

The Marin County Civic Center stands as a monument to the genius of Frank Lloyd Wright. As masterful as his design may be, however, Wright appears to have not anticipated the unfortunate reality that halls of justice and seats of government have become vulnerable to acts of violence.

The first attack on the Marin County Hall of Justice came within a year of its opening. On August 7, 1970, a machine gun was smuggled past court security. Hostages were taken, and ultimately four people, including Judge Harold Haley, lost their lives in the shootout that followed. There have been several other violent incidents that have occurred since Judge Haley's death, and there have also been a few close calls. There are some people who work in the building complex who believe that it is just a matter of time before tragedy strikes again.

The good news is that currently there seems to be a serious commitment to improving security at the Civic Center complex. This commitment follows (and may be related to) the takeover by the State of the operation of all courts throughout California. With that takeover has come a task force study in which all State courts have been closely scrutinized. Guidelines have been proposed, and moneys have been allocated at the State level to provide improvements to security in and around all the courts, including those in Marin County. Those guidelines are being taken seriously by representatives of the County Sheriff's office, with which the State contracts to provide court security. And, just as court security has benefited from these recent changes, there has also been a spillover effect whereby other parts of the building complex are being made more secure as well.

Although some positive actions have been taken and others are under consideration, much remains to be done to make the Civic Center a reasonably safe place to work and visit. For example, people generally throw their hands up at the mention of improvements to perimeter security. We were told over and over that the sheer number of entry portals in the building made it impossible to even consider entry checks. We were also told that the Fire Code would not allow limitations on access. We learned, however, that there are some rather simple steps that can be taken to reduce those non-secure portals to a number that might be considered manageable. Indeed, it appears that fire officials would probably be allies if and when they are presented with a plan to improve perimeter security.

So, while there has recently been a good start to improving security at the Civic Center, it is going to take a continuing concerted effort from the Board of Supervisors and the Marin County Sheriff's office to implement measures that can overcome both the perception and the reality of the facility's security shortcomings.

BACKGROUND

This investigation was undertaken because of comments about security at the Civic Center that began to surface during interviews on other topics. As the year progressed, more and more people who work in or frequently visit both the Hall of Justice and also the Administration wing of the building complex made us aware of concerns for their own safety, as well as that of their colleagues and the public at large. This report is the result of the Grand Jury's study of those concerns.

METHODOLOGY

The Grand Jury collected information about the basic design of the Civic Center complex and how the issue of security was integrated (or, in this case, not integrated) into the design. We also reviewed several formal complaints and petitions submitted during the past five years by employees complaining about the lack of workplace safety in various parts of the building.

We first interviewed those who were expressing concern over security shortcomings. They included representatives from the offices of the District Attorney, the Public Defender, and Child Protective Services. We also conferred with a sitting judge, a retired former judicial officer, and sworn peace officers from two different police departments. All of these individuals either work at the Civic Center on a daily basis or visit it on a regular basis. We also interviewed people who had either signed petitions or who participated in the drafting of letters expressing concern.

Thereafter, we undertook to better understand the issues surrounding security from the perspective of those who are responsible for the safety of the people who work and visit the building. We interviewed three deputies with the Sheriff's Department, a representative of the Court Administrator's office, and several representatives of the custodial staff. Finally, we interviewed fire personnel to learn the extent to which building and fire codes affect potential security enhancements.

DISCUSSION

General Overview

County courthouses have long been considered monuments to the democratic ideals of Americans and to the success of our system of jurisprudence.¹ They are the places where justice is meted out and where disputes are resolved in a fair and impartial manner. Unfortunately, county courthouses are also places where people who have

¹ See Executive Summary of the Task Force on Court Facilities found at <http://www2.courtinfo.ca.gov/facilities>.

committed crimes often lose their liberty and where parents sometimes battle furiously over custody of their children. They are places where real life dramas are played out under often enormously stressful circumstances and where desperate people sometimes find they have nothing more to lose.

Therefore, there are delicate balances to be considered in designing and protecting a courthouse. On the one hand, the building serves as a primary contact point between citizens and their local government, and as such it should not be so fortress-like as to discourage its use. On the other hand, the building needs to be safe for those working in it and for the public who visit it.

The Marin County Civic Center was designed by world famous architect, Frank Lloyd Wright. The Administration wing was completed in 1962, and the Hall of Justice wing was opened in 1970. In describing his design, Wright said: "...In Marin County you have one of the most beautiful landscapes I have seen, and I am proud to make the buildings of this County characteristic of the beauty of the County."² It has been designated as both a national and a state monument.

As beautiful as many people find the Civic Center complex to be, it is also a nightmare from the standpoint of security. The Administration wing is 584 feet long and the Hall of Justice extends another 880 feet. We have been told that it has well over 100 non-secure exterior doors and other entryways. These include lobbies with open stairways leading to all floors of the building, accessible balconies served by sliding glass doors which are often left unlocked, accessible rooftop entries, and numerous other easily breached openings. It also has three graceful drive-through arches, under which cars and commercial trucks are often left parked and unattended. Another challenge to security is the Civic Center branch of the Marin County Free Library which is located on the fourth floor of the Administration wing. This library is open not only during normal business hours, but on Tuesday and Thursday evenings and Saturdays as well. Although efforts have been made to match the hours of operation of this library branch to those of the rest of the building complex, those efforts have been rejected by the community. Additionally, parts of the building are sometimes used for public events and private occasions such as weddings. Often, these uses occur outside of normal business hours.

The existence in Marin County of San Quentin prison is another factor which uniquely affects security at the Civic Center. Its inmates are often brought to Marin Courts for appearances and sometimes for extended trials. Although the Sheriff has access to extra State security forces during such times, the fact remains that the heightened state of readiness required during such occurrences adds an additional level of complexity to the problem of making the building safe for employees and visitors.

² This quote appears on the web page entitled Frank Lloyd Wright Tours which can be found at <http://co.marin.ca.us/depts/PK/Main/flw/cctours.cfm>.

Throughout the interview process, we were often told that many of the ideas for addressing perimeter security issues had been discussed with and ultimately turned down by fire officials. However, when we interviewed two different fire safety officials (and, indeed, toured the facility separately with each), we learned that there is a great deal that can be done to improve security without compromising fire safety.

History of Tragedies

With its history of catastrophic events, the lack of adequate security at the Civic Center has been all too tragically proven, and the need for improvement is simply too obvious to ignore.

The most serious security related tragedy at the Civic Center occurred nearly 32 years ago, less than a year after the Hall of Justice was opened. On August 7, 1970, Jonathon Jackson smuggled a machine gun into the courtroom of Judge Harold Haley in an attempt at an armed rescue of his brother, George Jackson. Judge Haley and prosecutor Gary Thomas were taken hostage and were ultimately shot, along with three convicts, in a shootout outside the building. Judge Haley died from his wounds, and Thomas was left a paraplegic from a gunshot wound to his spine.

Nearly fifteen years after Judge Haley's death, a person was once again able to smuggle a gun into the Hall of Justice. The woman entered the courtroom of Judge Ernest Zunino, then shot and killed her own son-in-law. She then turned the gun on herself after pointing the gun at the Judge and others in the courtroom. During that same time frame, a bathroom adjacent to Courtroom D was blown up by a bomb which is believed to have been brought into the building in a briefcase.

The Sense of Those Who Work There

Despite the sobering events of the past, the courts remain housed in the Hall of Justice, and many county employees continue to worry about when the next tragedy will occur. For example, in October 1997, 17 staff members of a department of county government submitted a petition to the Board of Supervisors calling for changes to be made in order to establish "a safe and secure place for both county employees and visitors." Another petition was submitted in April 1999 following what was perceived as a half hearted and poorly executed search for a bomb. As recently as November 2001, a department head sent a letter to the Board of Supervisors complaining about lack of security at the Civic Center and urging, on behalf of that department's staff and all others who visit and work in the Civic Center, that the Board "take the strongest measures possible to make the building secure and safe."

In order to understand the concerns of those who work in and visit the Civic Center, the Grand Jury interviewed a number of persons in county government as well as one sitting judge, several police officers from different cities in the County, and a retired judicial officer. The following are representative comments:

- An employee in the Child Protective Services Division stated that lax and at times absent security places her and her youthful clients at risk. That interview produced a strong recommendation for more widespread use of metal detectors and wands on the Court floor, even if complete security cannot be achieved.
- A prosecutor on the staff of the District Attorney's office stated that Marin's courthouse is the only one that she knows about "with no security." That interviewee also made several recommendations, including:
 1. Widespread use of metal detectors;
 2. A strictly enforced prohibition against parking under any of the drive-through arches; and
 3. An increased bailiff presence in the corridors and other public areas of the Hall of Justice.
- A detective on the staff of a police department in Southern Marin County described security at the Civic Center as "awful." That person cited the Hall of Justice as being "ripe for violence because of the high tension surrounding both family and child custody proceedings as well as cases involving 'three strikers' who have nothing to lose." Recommendations from that source included the use of metal detectors and wands outside every courtroom, more widespread use of searches of persons and their belongings, and greater use of cameras and signage to discourage would-be troublemakers.
- A captain of the police department of one of the county's cities said that, although security at the Civic Center is extremely poor, it would be wrong to use "siege architecture" to design an unapproachable fortress. Instead, that source made a very strong plea to improve security through the use of metal detectors at each courtroom and particularly at those in which high risk cases are heard – cases such as domestic matters, child custody hearings, and appearances and trials involving serious felonies and "three strikes" crimes. Also recommended was a secure waiting room for victims, prosecution witnesses, and police officers.
- A former judicial officer stressed the need for better security in the Family Law area of the Hall of Justice because of its "tumultuous" nature and the frequent anger of these litigants.
- A member of the Public Defender's office noted that the risk of violence is greatest in Family Court and suggested permanently assigning a roving bailiff in this area. That interviewee also suggested that attorneys, social workers, and others who represent litigants in court should assume greater

responsibility to alert security personnel to potentially violent situations before they come to court.

- Three deputies with the County Sheriff's office each acknowledged fundamental design flaws in the building and mentioned a number of things that have been done to improve security in the recent past. In terms of recommendations, two stated a preference for a greater uniformed deputy presence, noting that law enforcement personnel not only provide deterrence by their very presence, but are also trained to recognize suspicious behavior. All three officers had other recommendations as well, some of which will be published in this report and others of which will remain unstated in order to not compromise the effectiveness of actions that are now either in place, being undertaken, or under consideration. As noted *infra*, the fact that these individuals not only recognized the problems but also indicated the commitment of the Sheriff's office to address them is encouraging.
- A sitting judge stated that security weighs heavily on the minds of all the judges and that most do not consider the Hall of Justice to be a safe place to hold court. Many of the judges, according to this source, believe that it would be prohibitively expensive to make the building safe and secure, and they would prefer that the State construct a new building to house the Marin County Court system.

The Grand Jury also interviewed persons who signed the petitions in 1997 and 1999 and from the department that complained in 2001. In the case of the 1997 petitioners, we learned that the motivation behind that petition arose from the cumulative effect of several episodes, no one of which had itself resulted in actual damage, but which, taken together, had created a sense of vulnerability and discomfort. The several events had each involved members of the public (in one case apparently a man who had just gotten out of jail) who had gained access to an employee occupied office, closed the door so that the worker was isolated, and proceeded to harass and frighten the employee. We learned from our interviews that the County responded to the petition in a positive way by offering training, providing secure locks on the doors to the involved offices, and by developing warning devices and a means of communication designed to improve deputies' response times. Those interviewees did, however, convey an ongoing sense of concern about overall security.

The 1999 petition arose out of a bomb threat which, in the opinion of the petitioners, was poorly handled by the sheriff's office. As for the department that complained about security in November of 2001, its senior staff continue to feel that too little attention is being paid to the safety of employees and of the public.

Discussions with Those Who Provide Security

Next, the Grand Jury met with several people involved in planning for and providing security. These included a representative of the Court Administrator's Office, several representatives of the Sheriff's office, a member of the public works staff, and two fire safety representatives who work for different fire agencies in the County. What we learned was encouraging.

Over the past decade, the State has assumed ever increasing control over all the courts in each county. In 1997 the Lockyer-Isenberg Trial Court Funding Act was passed, mandating that the State assume the budgetary burden of operating all the courts of the State. Pursuant to that law, the State has in fact assumed that burden and has allocated funds with which to operate the courts in a safe and secure manner. The State contracts with the Sheriff's office to provide bailiff staff, and it has also provided guidance and budgetary support for what it perceives as needed levels of equipment and uniformed manpower. That budgetary support has enabled the Sheriff's office to increase the number of uniformed bailiffs from 17 in fiscal 1995/96, up to its current complement of 26.³ In addition, the State has funded the purchase of two state of the art x-ray machines and three new metal detectors, as well as other equipment. Unfortunately, these machines often sit unused because of the lack of manpower to operate them.

Inadequate manpower also limits the efficient use of existing search machines such as x-ray and metal detecting equipment. It also limits the ability of deputies to perform manual searches on other than a random or threat-oriented basis. The budget for the Sheriff's Department does not allow deputies to conduct as many searches as they would like.

The Lockyer-Isenberg Act also created a task force to review the facilities in all courthouses around the state. The Sheriff of Marin County was one of the eighteen members of that task force. On March 31, 2001 the Task Force presented its final report with voluminous and specific recommendations covering a broad array of security topics that deal with both operations and facilities. The Court Service Division of the Sheriff's office has taken those recommendations seriously and, with the support of the County Board of Supervisors where appropriate, has implemented a number of them.

We were told that some of the guidelines promulgated by the State Task Force, and particularly those relating to perimeter security, were not practical because of fire code issues. We learned, however, during two separate tours of the building complex with people knowledgeable in fire code interpretation, that many of the supposedly unavailable options are in fact not barred by fire considerations at all. As examples:

³ According to the Sheriff's Department, during fiscal 1995/96, security costs paid by the Superior Court toward personnel enhancements totaled \$1,264,000. By fiscal 2000/01, that sum had increased to \$2,117,000.

- There is no fire-related reason not to put locking doors at the ground floor level of all stairways. The only requirement is that those doors have panic hardware installed on the inside, which would enable them to be opened by people leaving the building. Those doors would also probably have to be equipped with fire department override devices which would allow firefighters to gain access to the stairways in case of fire.
- Currently, all stairways in the Hall of Justice are open for free access between floors. This provides a convenient method for workers to travel easily from floor to floor. However, this same freedom of movement also provides ready access for troublemakers to the Court floor, as well as to all other floors, from a number of entry points. We were told that the fire department would never permit the doors leading into those stairways at each level to be closed and locked. In fact, we have since learned that it would be permissible from a fire perspective to close off those doors at each level. Closing and one-way locking those doors to prevent entry from the stairwells would dramatically reduce the number of entry points. Of course, that solution would inconvenience some workers by forcing them to travel from floor to floor by elevators only. At the very least, one could easily close off the stairway doors against entry at both the ground floor and at the Court floor levels and thereby significantly reduce the number of entry points to the Court floor, where the need for security is greatest. Furthermore, those same doors could presumably be equipped with card reader equipment that might enable them to be opened for the convenience of members of the District Attorney's office, the Office of the Public Defender, and others who have the need and clearance to make frequent use of the Court floor
- We were told that elevators could not be restricted in order to put certain floors off limits to members of the public. To the contrary, we have since learned that, since elevators are not to be used in case of fire, fire considerations are not relevant to a determination of this issue. While the County may wish, for other legitimate reasons, to continue making all its elevators available for unlimited access by the public, this is apparently not required by the Fire Code.
- Furthermore, outward opening doors can lawfully be installed at the cafeteria end of the second floor balconies of both the Hall of Justice and the Administration wings of the building in order to close off those balconies as a means of access to offices on those floors.

The archways are another area of concern. They provide an aesthetic grace to the building, but are also places where evil doers can create chaos. Whereas the curbs under the archways leading to the Hall of Justice are painted red to discourage parking, members of the Jury have, on numerous occasions, seen non-official cars and trucks parked there for long periods of time. The archway adjacent to the main entry of the Administration wing is an even clearer example of inadequate attention to security. That archway actually has two striped parking places in its center. Those parking spaces are

located directly below an open three story atrium. Quite apart from the invitation to terrorist behavior, it was pointed out to us by one fire expert that cars sometimes catch fire accidentally. The smoke from such a fire would rise directly up through the open atrium and potentially cause harm and damage to nearby offices and the people who work in them. Another potential threat to safety under the arches is the existence of a loading dock immediately adjacent to the main entry to the Administration wing. That loading dock provides an invitation to truck traffic to stop directly under the arches, and it is an obvious security shortcoming. Fortunately, that area is currently well monitored by a full time custodial manager whose desk is in plain view of the dock and who stays abreast in advance of any and all deliveries.

With the single exception of the Administration wing's loading dock (and then only because of the constant close monitoring of traffic), there does not seem to be any justification whatsoever to invite or allow parking of any sort under (or, for that matter, within the immediate proximity of) the archways.

The main entry to the Administration wing of the building is through ornamental gates. When those gates are closed, anyone who is reasonably fit can climb over them and gain access to all floors of that entire wing of the building simply by walking up an escalator that cannot be closed off. There are simple and inexpensive solutions to this problem. To the extent such solutions may involve design changes, they will, we understand, have to be approved by Frank Lloyd Wright Foundation.

There are also a number of doors that open from the archways directly to stairwells leading up into the Hall of Justice and the Administration wing. Some (like the one on the west end of the Administration wing archway) are open and unattended during business hours. Others are generally closed and locked but have been seen open on occasion. All these doors should be locked to prevent entry from outside. Panic hardware is in place on most of the doors to permit egress, and card reader equipment could be installed in order to allow entry access to people who have the need and appropriate clearance.

Trash represents yet another security challenge. Grand Jury members have noticed throughout the past year that empty boxes, recycling containers, surplus desks, filing cabinets, and other furniture is often piled up in corridors at all levels of the Hall of Justice and left in place for days and sometimes weeks on end. These conditions provide an inviting venue for the placement of incendiary or explosive devices.

Finally, those who provide security have unanimously mentioned budget constraints. Not only do they have inadequate revenue coming in through the normal budget process, but there is, with one exception, no provision for fee-based services. For instance, modest fees to cover extra security could be charged to members of public or private groups who rent the Supervisors' chambers, the cafeteria and its outside patio area, or other parts of the Civic Center for after hour events. Such charges are currently imposed when courtrooms are rented for training purposes. While modest on a per

event basis, they would enable the Sheriff's Department to provide the needed security without having to dip into its regular budget. There may be other opportunities for fee-based services as well, and the County should be open to exploring this option.

Until a comprehensive plan is put together, it is not practical to conclude whether or not the Civic Center could be made reasonably secure. The Marin County Sheriff's Office has made a good start by preparing a confidential report which identifies and assesses current security conditions and discusses a series of enhancement options. The report has been submitted to the Board of Supervisors. While the Grand Jury commends the Sheriff's office for this effort, we believe that it can go further with input from this report and from the Fire Marshall's office.

Positive Steps

Important steps have been taken already. For obvious reasons, many of the security enhancements should not and will not be identified in this report. Some, however, are not compromised by public awareness and are outlined below:

- Bailiff deployments are now determined on a daily basis following early morning "threat assessment" meetings. This "threat assessment" approach has resulted in greater flexibility in personnel assignment and has had the added benefit of finding more time for bailiffs to patrol other areas of the Civic Center.
- A federally trained canine unit is in place. This consists of a trained bomb-sniffing dog that is assigned to a trained handler who is a Sheriff's deputy. That canine patrol is on duty on a daily basis and is an extremely valuable security asset. The Sheriff is specifically commended for going to great lengths to successfully compete against other Bay Area counties for the right to place that unit in Marin County
- A computerized card reader system has been put in place on nearly all non-public access doors throughout the Hall of Justice. That system, which includes panic hardware, is now being gradually installed in the Administration wing as well. This system replaces outdated keyed doors and greatly enhances security in a number of ways, including:
 1. Enabling the County to restrict entry to offices and sensitive areas to persons whose cards are coded for such access;
 2. Keeping track of the movement of people and assuring that there is a computer generated record of the identity of each person who enters an office as well as the date and time of that entry;
 3. Eliminating the ability of former employees, or others whose right of access has expired, to enter areas that are off limits to the public.
 4. Keeping track of after-hour entry and movement of people; and
 5. Providing a means for security personnel to identify individuals.

The card reader system employs an identification card. Approximately 1,800 of these cards have been issued to virtually all persons who work at the Civic Center. The card contains a photo of the individual, a notation of his/her department, and a programmable magnetic strip on the reverse side which enables the user to gain access to areas in the building to which he or she has clearance. The card is capable of holding far more information than it currently does.

A natural extension of the card reading system would be a simple requirement that the person's identification card be worn visibly at all times while on the premises. That would effectively turn the card into a badge. Badge systems generally are not considered onerous by those agencies or facilities which require them. On the other hand, they vastly improve security in several ways. First, they heighten awareness among all workers to the presence of unauthorized people. As importantly, they narrow the numbers of people whom law enforcement (in this case the Sheriff's Office) need to monitor and be aware of. The badge system can also make it easier to limit access within the building to those who have proper clearance. The badges can also be deprogrammed quickly in order to eliminate outdated clearances. The more sophisticated the system, the easier it makes the job of the Sheriff.

- Improvements have been made to motion detectors and to alarm and video monitoring systems. More significant improvements have been authorized and are currently being put in place, while still others are under active study. Systems are now in place to enable deputies to be deployed nearly instantaneously anywhere within the purview of the existing cameras.
- Training of bailiffs has been improved through the introduction by the Sheriff's office of special training courses designed to deal with specific issues relating to Marin County's circumstances and requirements.

There are other security enhancements that have been implemented as well and which it is best not to mention in a report to the public. Suffice it to say that steps either have been taken or are under serious consideration in order to maximize security within the limitations of the building's design.

Training and Awareness of Civic Center Employees and the Public

Despite the best efforts of the Board of Supervisors and the Sheriff's office, there is only so much that can be done to make the Civic Center acceptably safe. Ultimately, there needs to be recognition by those who work and visit there of the fundamental design flaws of the building; and there needs to be a commitment to self help.

Just as the Federal government has called on citizens to be aware of people and things going on around them in the aftermath of September 11, so too the people who work at the Civic Center and those who visit it need to be aware of, and not shy about reporting, suspicious behavior to the Sheriff. In turn, workers have a right to expect leadership from the Sheriff's Office. The Sheriff needs to take a strong leadership role in providing education classes to county workers, as well as conducting evacuation and other emergency drills, and otherwise preparing all workers at the Civic Center to be more alert and responsible for their own protection and the safety of their co-workers.

Finally, on the topic of evacuations and drills, there do not appear to have been any evacuation drills for at least ten years, if ever. That is about to change. The Sheriff's office is in the final stages of development of a comprehensive emergency plan which includes instructions for evacuation for a wide variety of reasons (each with its own protocols) as well as a plan for regular drills. This plan appears to be comprehensive and well thought out.

FINDINGS

1. There are numerous non-secure entry portals to the Civic Center complex. The very number of these portals has historically been discouraging to the Sheriff's office and to others who have considered security enhancements. Reduction of the numbers of non-secure portals would make it easier to develop plans to make the remainder more secure. Yet there does not appear to have been a serious effort made to inventory the number of such portals and to undertake a needs and security assessment of each.
2. The stairwells in the Hall of Justice have (with one exception) no doors at ground level, and the one exception has no panic hardware or other equipment that could enable it to be closed and one-way locked during business hours. The absence of locked doors at the ground floor lobby staircases provides multiple level entry opportunities for people who might want to do harm to the building and/or its occupants.
3. Those same stairwells in the Hall of Justice have doors opening to every level, including the Court floor level. Those doors are currently kept open at all levels and at all times during business hours, thereby facilitating traffic flow between floors but also inviting easy entry to each floor, including the Court floor, by persons with bad intentions.
4. There are no doors located at the patio end of the second floor balconies. Those balconies serve numerous offices by way of sliding doors which open onto them, doors which are often left unlocked (and frequently open) during the day. There is no fire related reason why outward opening doors equipped with panic hardware could not be installed at the patio end of those balconies. Such doors would permit

the balconies to continue to act as fire exits while at the same time enhancing security by closing off yet another group of non-secure entry portals.

5. There are a number of free standing exterior doors which are not secure and which lead directly into the building. Some are usually locked, but others are generally open to free and unmonitored entry. For example, there is a door located at the west end of the archway under the Administration wing. That door is almost always open to unmonitored entry from outside. It is equipped with panic hardware on the inside so that, if locked, it could be used as a means of emergency egress. It could be equipped with card reader equipment which would enable it to be used for entry by people with proper clearance. There is no known reason for it, or any other free-standing exterior doors, to be available for entry by unauthorized visitors.
6. Although parking of non-official vehicles is prohibited under the archways at the Hall of Justice, the enforcement of that ban is simply by red striping and the hope that people might be discouraged from parking there because of the possibility of an expensive parking ticket. That plan is not working – witness the numerous non-official cars that have been noted by members of the Grand Jury parked under those arches. Every car or truck which is left unattended in those areas represents a serious security threat.
7. Parking is, in fact, permitted under the archway at the Administration wing. There, parking and leaving cars unattended (as often occurs) not only pose a security threat, but those activities also create the possibility of smoke and/or carbon monoxide gases rising to the offices in the vicinity of the open three story atrium above.
8. There is a loading dock under the archway adjacent to the main entry to the Administration wing. The existence of this loading dock provides a challenge to security because of the potential for unidentified trucks and other vehicles to be left unattended in that area. Currently the threat posed by this security issue is minimized by the presence of custodial personnel who keep close track of all vehicles which use that dock; however, such informal practice does not rise to the level of a security protocol.
9. The Civic Center branch of the Marin County Free Library is located on the fourth floor of the Administration wing of the building. Its hours of operation include Tuesday and Thursday evenings and all day Saturday. These are times when the building is otherwise closed. Once a person is inside the Administration wing, that person has essentially free access to the entire Administration wing during times when there are generally no other county employees or members of the public around to monitor what the individual might be doing.
10. The Cafeteria and certain other portions of the Civic Center complex are occasionally open for weddings and other events during non business hours. Such

permitted activity heightens security risks. Those risks could be alleviated through the establishment of a fee for service program whereby fees are charged to cover the cost of the extra security needed. This is currently done when courtrooms are used by outside groups.

11. Recycling containers and trash (including empty boxes, surplus desks, filing cabinets, and other furniture) are present in corridors at all levels of the Civic Center and are often left in place for days or weeks on end. These conditions not only tend to block or narrow exit corridors, but, more ominously, make for ideal sites for an incendiary or explosive device to be placed.
12. The present card reader system, which has been installed on nearly all non public access doors in the Hall of Justice, is a significant advance in security enhancement. The doors that are controlled by this system are expensive; however, the people with whom we have spoken have all expressed appreciation for the significant improvement to security that they provide.
13. The card reader system can be expanded simply and inexpensively to become a badge identification system. Essentially all that would be necessary is a regulation mandating that the cards (which have already been issued to virtually all workers at the Civic Center) be worn visibly by them at all times when they are present on the premises. The use of such a system would heighten awareness among workers as well as ease the job of the Sheriff's Department by reducing the numbers of people (those without badges) who they have to keep track of in high security areas of the building, and particularly on the Court floor.
14. The Federally trained canine unit is an extremely valuable security asset.
15. The State of California, which has assumed control of and responsibility for the courts, has taken steps to identify security needs and to fund a significant portion of their associated costs. This increased level of funding, as well as a newly implemented system of deploying bailiffs, has enabled the Sheriff's department to provide additional roving deputy patrols of the Court floor and, to a lesser extent, the rest of the building complex as well.
16. There are currently two state of the art x-ray machines and four metal detectors at the Hall of Justice. Even if those were considered adequate in number (which they are probably not), they often sit unused because of a lack of manpower to operate them properly.
17. Searches are not often used as a deterrent to entry. They are conducted when a particular threat is identified and also, when manpower is available, on a random basis.

18. Occasionally, prosecutors, public defenders, private counsel (who are also officers of the court), probation officers, social workers and others become aware of desperate people and/or potentially explosive situations. All these professionals could (and some have on a few occasions), without violating their ethical responsibilities, provide advance warning to the Sheriff's office of the possibility of violence. There has been no effort to publicize the need for such cooperation and assistance from these valuable sources of intelligence.
19. The main entry to the Administration wing of the Civic Center is through several ornamental gates. After hours, those gates are closed; however, they have no structure immediately above them, and they have horizontal design features that make them easy to scale by anyone who is reasonably fit. Once over the gates, one has unfettered access to anywhere in the Administration wing.
20. To the best of the Grand Jury's knowledge, there has not been, for at least ten years (if ever), an evacuation drill. Although there have been numerous evacuations due primarily to bomb threats, it is felt by some workers at the Civic Center that department heads and others do not have a clear understanding of a controlled evacuation.

RECOMMENDATIONS

1. The Sheriff's office should conduct an inventory of all potential entry points to the Civic Center complex and should meet with the Fire Marshall and any other persons or entities he deems appropriate in order to determine, on a case by case basis, which of those entry portals can and should be closed off to public entry. A plan should be put in place to implement whatever decisions are made on this issue.
2. Serious consideration should be given to closing, and one-way locking, all interior stairwells throughout the building complex at ground level and at each floor level. This would limit access to a controllable number of entryways
3. Once decisions have been made about which and how many entries to make inaccessible to non-cleared personnel, the Sheriff and the Board of Supervisors should reconsider the viability of using metal detectors and/or other means of securing the remaining public entry points. If appropriate, consideration should be given to seeking funds from the State to cover the costs associated with securing all such entries leading to the Court floor.
4. Parking opportunities should be eliminated under all archways. The ban on parking should go beyond red striping and should include the use of barriers that would prevent vehicles from standing unattended at any place under, or in the immediate vicinity of, those arches.

5. Consideration should be given to making the hours of operation of the Civic Center Branch of the Marin County Library coincide with those for the rest of the building complex. In the event the decision is made not to do so, a plan should be developed and implemented to use extra security personnel and/or barriers to prevent unauthorized movement of persons into any non-library associated area of the Administration wing. The cost of such additional security could be added to the budget of the library.
6. A fee for service plan should be designed and put in place to provide funds to cover the cost of extra security during public and private events held at the Civic Center during non-business hours.
7. The corridors and public spaces in the Civic Center should be kept free of recycling containers and trash (including empty boxes, surplus desks, filing cabinets, and other furniture).
8. The identification cards, which have been issued to virtually all workers at the Civic Center, should be required to be worn visibly as badges at all times by all employees whenever they are on the premises.
9. The Sheriff, with support from the Board of Supervisors, should seek funding sources (including State funds if possible) to cover the cost of manpower needed to enable all currently owned x-ray and metal detector devices to be used regularly.
10. An outreach program should be put in place to encourage all people involved in courtroom activities (including prosecutors, public defenders, private attorneys, investigators, probation officers, and social workers) to report, well in advance of any court appearance, any people whom they know or have reason to suspect might become desperate or violent in or around the Hall of Justice.
11. The Board of Supervisors and the Sheriff's Office should work with the Frank Lloyd Wright Foundation to improve security at and around the existing ornamental gates at the entry to the Administration wing of the Civic Center complex.
12. A comprehensive evacuation plan should be prepared, and regularly scheduled drills should be planned so that all workers in the Civic Center complex understand and feel comfortable with a process for orderly evacuations.

REQUEST FOR RESPONSES

Pursuant to California Penal Code Section 933.05, the Grand Jury respectfully requests responses as follows:

- From the Marin County Sheriff to each of the Findings and each of the Recommendations, and
- From the Marin County Board of Supervisors to each of the Findings and each of the Recommendations.

Although not legally required, the Grand Jury also invites responses from the Director of Library Services of the Marin County Free Library to Finding #9 and Recommendation #5.